



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

November 12, 2015

TO: Gina Natoli
Hearing Officer

FROM: Steve Mar 
Zoning Permits East Section

SUBJECT: Additional Materials
Project No. R2012-01149-(4)
Modification to Conditional Use Permit No. 201200073
HO Meeting: November 17, 2015
Agenda Item: 8

The above-mentioned item is a request to modify conditions of approval to an existing karaoke center approved under Conditional Use Permit No. 201200073.

Staff has received the attached letter from the applicant's representative in response to opposition letters received for the Conditional Use Permit Modification request.

If you need further information, please contact Steve Mar at (213) 974-6435 or smar@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.

MM:SM



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November 10, 2015

Via Electronic Mail Only

Mr. Steve Mar
Los Angeles County Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012
Email: smar@planning.lacounty.gov

Re: L.A. Melody KTV
Project No. R2012-01149-(4)
Modification to Conditional Use Permit 201200073
Hearing Date: November 17, 2015
Agenda Item No. 9

Dear Mr. Mar:

This law firm represents L.A. Melody KTV, the owner and operator of a karaoke center located at 18888 Labin Court, Unit #C-201, in Rowland Heights. On behalf of my client, I am submitting this letter along with a request that it be included as a document on the referenced agenda prior to the November 17, 2015 meeting of the Department of Regional Planning, and be fully considered before the Department summarily denies the requested modification to the CUP by L.A. Melody KTV, which decision we are informed will be based on two protest letters sent to the Department by residents of the surrounding community.

By way of background, for several months I have been assisting L.A. Melody KTV with a number of issues that have been successfully addressed, mitigated and resolved with various City and County agencies, up to and including the unanimous approval of L.A. Melody KTV's entertainment license by the Los Angeles County Business License Commission on September 9, 2015. Significantly, that Commission hearing addressed almost the identical issues now being raised by the neighboring residents who are lobbying against the modification of the referenced CUP, including acceptable noise levels, security, hours of operation of the business so as not to disturb the neighborhood, and a requirement by the Business License Commission that L.A. Melody KTV abide by any applicable CUP.

Therefore, the L.A. County Business License Commission's approval of the business license of L.A. Melody KTV is persuasive evidence that my client will abide by the terms and conditions set forth in the proposed modification to CUP 201200073.

However, we understand that due to letters of protest from six (6) residents of an adjacent mobile home park and from the Rowland Heights Community Coordinating Council ("RHCCC"), you have notified L.A. Melody KTV that the modification to the CUP will be denied at the upcoming November 17, 2015. We ask that you reconsider the following response

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being provided by the applicant, L.A. Melody KTV, to the points raised in the respective letters, as set forth below.¹

Letter from Mobile Home Park Residents to Director of Planning Dated October 26, 2015

First, we have learned that this Karaoke Center had violated the conditional use permit by reconfiguring the existing rooms without permit. This request seems to legitimize their previous violation.

It is unclear what is meant by a "previous violation." When L.A. Melody KTV was first notified that the space leased to it – through no fault of its own – was not in compliance with the original CUP because it contained 26 rather than 15 rooms. L.A. Melody KTV promptly closed 11 rooms deemed not to be in compliance, pending this application for modification of the CUP. To the extent the space leased to L.A. Melody KTV was not in compliance with the then-existing CUP before L.A. Melody KTV moved into the space, there are discussions between L.A. Melody KTV and its landlord over this issue.

Second, even though "the original approved occupant load of 191 persons will remain unchanged," the total number of customers will be increased by shifts of customers. This will increase the cars parked on the plaza, especially in the evening, including late evening, and disturb the Park residents. In fact, the Department of Regional Planning cannot always be there to check the total number of customers at the Karaoke Center.

This is not the case. L.A. Melody KTV has operated within the approved occupant load from the time it opened. There has never been an increase in cars parked on the plaza since the time L.A. Melody KTV opened its business. In addition, the mobile home park is located behind the shopping center, on the walled-off side away from the alleged parking and noise issues which, as indicated, have already been dealt with when L.A. Melody KTV received approval for its entertainment license from the County. L.A. Melody KTV has already agreed, both itself and through its professional security company at the premises, to cooperate with the Los Angeles County Sheriff's Department. As such, this concern of the neighbors has effectively been addressed and resolved.

Third, Karaoke Centers are notorious for their secret violations, such as allowing drug taking and/or alcohol drinking. The smaller the rooms are, the more secret dealings will happen. Even though this Karaoke is not permitted to sell alcohol, but a store next to it, owned by the same owner of the Karaoke Center, has the permit to sell alcohol. Young people can get alcoholic beverage easily next door and drink at the Karaoke Center. So, they tend to more disturbing than other customers. Our motivation to oppose to this request is not only to protect our quiet enjoyment of life but also for the good of the youngsters. We hope fewer young people would go to the Karaoke Center to indulge in unhealthy or even unlawful activities.

¹ The residents' points are set forth first, followed by L.A. Melody KTV's response in red below the points made by the residents.

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These subjective concerns of the mobile home park residents show a fundamental misunderstanding of the nature of the business of L.A. Melody KTV, which prides itself on being a family establishment. In addition to already addressing noise problems that are perceived by these neighbors (even though their residences are on the back side of the shopping center), L.A. Melody KTV has hired a professional security company during its hours of operation to ensure compliance with its zero-tolerance policy when it comes to the presence or use of alcoholic beverages on its premises. While L.A. Melody KTV cannot control the consumption of alcohol by patrons who frequent other establishments in the shopping center, L.A. Melody KTV has diligently addressed and alleviated any problems with the presence or consumption of alcohol on the premises.

There is no underage drinking at L.A. Melody KTV. My client offers a fun atmosphere for the families and friends who keep returning to visit its business. The karaoke center rooms are all equipped with excellent sound, video and related equipment. This is truly a business that has connected with the community who enjoys the entertainment provided by this karaoke center.

We do not always oppose to any requests to modify conditions. For instance, we first opposed to the request to modify the condition of business hours from 12 hours to 24 hours by an Internet café, but later we withdrew our opposition when the requested business hours changed to 11 am to 2 am. However, for this request by the Karaoke Center, we express our strongest opposition, and we urge the Hearing Officer not to grant this request in order to protect both the residents and the young people.

L.A. Melody KTV refers to the above points offered in response to the mobile home park residents. L.A. Melody KTV has already addressed the concerns raised through the Los Angeles County Business License Commission, which has approved the issuance of an entertainment license for the business. L.A. Melody KTV is already abiding by the residents' concerns in accordance with that licensing process. The increase from 15 to 26 rooms, with no change in the approved capacity for L.A. Melody KTV, will not have the adverse impact on the residents as described in their protest letter.

Letter from RHCCC to Director of Planning, c/o Mr. Steve Mar, Dated October 26, 2015

This letter merely reflects the fact that RHCCC is representing the interests of the same mobile home park residents, and offers no other basis for denying the modification to the CUP sought by L.A. Melody KTV. For the reasons set forth above, there is no evidence that the quiet enjoyment of the mobile home park residents has been disturbed or impacted in any manner by patrons of L.A. Melody KTV, as opposed to any other patrons who visit businesses in the Pearl of the East shopping plaza.

It is said that an unspecified number of residents "periodically lodge complaints regarding the late night noise levels emanating from the shopping center." That expression of the issue by the RHCCC cannot be attributed to L.A. Melody KTV only, particularly in light of the fact that the neighboring residents have filed suit against the shopping center, which consists of a number of other business than that of L.A. Melody KTV.

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It is also stated an unspecified number of complaints are made to the sheriff's station and to the office of Supervisor Don Knabe. When the Commissioners unanimously approved the entertainment license of L.A. Melody KTV at the September 9, 2015 hearing of the Los Angeles County Business License Commission, it was specifically understood that L.A. Melody KTV and its security company are cooperating with the Los Angeles County Sheriff's Department to address the very same types of problems about which RHCCC's president writes.

Interestingly, although some of the residents of the community appeared at the hearing approving the issuance of L.A. Melody KTV's business license on September 9, 2015, none of those residents opposed the issuance of an entertainment license to L.A. Melody KTV.

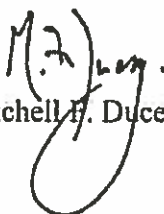
It is also interesting that Commissioner Lee, who took the lead in questioning my client about its business and operations at the Business License Commission hearing, educated the other Commissioners on the significance of karaoke centers to the surrounding community. In truth, L.A. Melody KTV shares the very same purposes for which RHCCC was formed, as set forth on the organization's website, including "[t]o improve quality of life and promote good citizenship." It is hoped that upon further consideration of the needs of the community the RHCCC will reconsider its letter of opposition to the modification to the CUP, since there are no specific facts recited in that letter that would warrant a denial of the application of L.A. Melody KTV.

Conclusion

No matter what issues the surrounding residents may have had with this shopping center as a whole, or with other businesses in the shopping center, it is respectfully requested that the Department of Regional Planning consider the strong need expressed for a karaoke business in the community, as witnessed by the popularity of the business. L.A. Melody KTV has addressed all of the concerns of these residents. In fact, L.A. Melody KTV is a reflection of the various interests of the entire community, and its business should not be harmed by complaints from a minority of residents of the mobile home park behind the shopping center.

We ask that this letter in response to those of the residents be included as part of Agenda Item No. 9 at the upcoming November 17, 2015 meeting of the Department of Regional Planning, and that the Department grant the request for the modification of CUP 201200073. Thank you for your consideration.

Respectfully Submitted,


Mitchell F. Ducey

MFD/lb